

REMARKS

Summary of the Office Action

Claims 12, 13 and 15-31 are pending in the application.

The drawings are objected to under 37 C.F.R. 1.83(a) for failure to show the separate lumen of the catheter referred to in claim 27. Claim 18 is objected to on the foregoing basis as having improper dependent form.

Claims 12, 13, 15, 21-23, 25, 26, 28 and 29 have been rejected as obvious, 35 U.S.C. §103(a), over EP 0427429 in view of Valley U.S. Patent No. 5,814,016.

Claims 19, 20, 24, 27 30 and 31 have been indicated to include allowable subject matter if rewritten in independent form including all of the limitations of any intervening claims.

Applicants' Response

Applicants submit that claim 18 is fully supported in FIG. 6B and at page 22 of the specification, lines 25-28, which recite that "[g]uide wire 145 and balloon 146 are configured to pass through guide wire lumen 164 of catheter 141 (see FIG. 6B), so that the balloon may be advanced into and occlude the ECA." The "separate lumen of the catheter" referred to in claim 18 corresponds to guide wire lumen 164 of FIG. 6B. Applicant respectfully requests that the objection to the drawings be withdrawn, and that claim 18 be rejoined with the pending claims.

Applicants have amended independent claim 12 to incorporate the subject matter indicated to be allowable in claim 24, as well as the limitations of intervening claim 15. Specifically, claim 12 now recites: "aspirating blood from the region of the bifurcation and the internal carotid artery into

the lumen of the catheter to remove substantially all emboli from the region *while delivering a stent, inserted through the lumen of the catheter, within the stenosis to restore patency to the internal carotid artery.*"

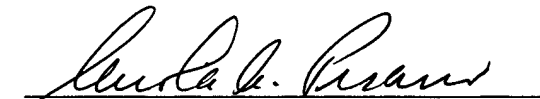
Applicants also have amended independent claim 25 to incorporate the subject matter indicated to be allowable in claim 30, as well as the limitations of intervening claim 28. Claim 25 now recites: "*while aspirating blood from the proximal segment, delivering a stent within the stenosis, using an interventional instrument inserted through the lumen of the catheter, to restore patency to the first distal segment.*"

Applicants respectfully submit that claims 12 and 25 patentably distinguish over the prior art of record, and that the claims dependent therefrom likewise patentably distinguish over the prior art.

CONCLUSION

In view of the foregoing, applicants respectfully submit that the application is in condition for allowance. An early and favorable action is earnestly requested.

Respectfully submitted,



Nicola A. Pisano
Registration No: 34,408
Attorney for Applicants

c/o Luce, Forward,
Hamilton & Scripps, LLP
11988 El Camino Real, Suite 200
San Diego, California 92130
Tel.: 858.720.6320